

§ 52.2276

ozone nonattainment area has attained the 1-hour ozone National Ambient Air Quality Standard (NAAQS) and has redesignated the area to attainment for the 1997 8-hour ozone standard. With this final redesignation to attainment for the 1997 8-hour ozone NAAQS and this final determination of attainment for the 1-hour ozone NAAQS, the 1-hour anti-backsliding obligations to submit planning SIPs to meet the attainment demonstration and reasonably available control measures (RACM) requirements, and the ROP and contingency measures requirements, cease to apply.

[42 FR 37380, July 21, 1977, as amended at 44 FR 5662, Jan. 29, 1979; 44 FR 55006, Sept. 24, 1979; 45 FR 19244, Mar. 25, 1980; 46 FR 47545, Sept. 29, 1981; 47 FR 20770, May 14, 1982; 47 FR 50868, Nov. 10, 1982; 60 FR 12459, Mar. 7, 1995; 60 FR 33924, June 29, 1995; 70 FR 25, Jan. 3, 2005; 73 FR 61358, Oct. 16, 2008; 74 FR 2391, Jan. 15, 2009; 75 FR 64679, Oct. 20, 2010; 77 FR 36403, June 19, 2012]

§ 52.2276 Control strategy and regulations: Particulate matter.

(a) *Part D conditional approval.* The Texas plan for total suspended particulate (TSP) for the nonattainment area of Dallas 3 is conditionally approved until the State satisfactorily completes the following items:

(1) Draft SIP revision supplement submitted to EPA by March 3, 1980.

(2) Public hearing completed by May 5, 1980.

(3) Adopt revision and revised Regulation I as it pertains to control of non-traditional sources, if necessary, and submit to EPA by August 1, 1980.

(b) Notwithstanding any provisions to the contrary in the Texas Implementation Plan, the control measures listed in paragraph (c) of this section shall be implemented in accordance with the schedule set forth below.

(c) No later than January 1, 1980, Parker Brothers and Co., Inc., at its limestone quarry facilities near New Braunfels, Comal County, Texas shall install fabric filters on the primary crusher and on the secondary crusher and screens, meeting the requirements of Appendix A of the Texas Air Control Board Order 78-8 adopted August 11, 1978. After the date of installation of the fabric filters, Parker Brothers and Co., Inc., shall not emit particulate matter in excess of 0.03 grains per

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standard cubic foot from the exhaust stack of the fabric filter on its primary crusher and shall not emit particulate matter in excess of 0.03 grains per standard cubic foot from the exhaust stack of the fabric filter on its secondary crusher and screens.

[46 FR 43425, Aug. 28, 1981, and 46 FR 47545, Sept. 29, 1981]

§§ 52.2277–52.2281 [Reserved]

§ 52.2282 Public hearings.

(a) The requirements of § 51.102 of this chapter are not met because principal portions of the revised plan were not made available to the public for inspection and comment prior to the hearing.

[38 FR 16568, June 22, 1973, as amended at 51 FR 40675, Nov. 7, 1986]

§ 52.2283 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?

(a)(1) The owner and operator of each source located within the State of Texas and for which requirements are set forth under the Federal CAIR NO_x Annual Trading Program in subparts AA through II of part 97 of this chapter must comply with such applicable requirements. The obligation to comply with these requirements in part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator of a revision to the Texas State Implementation Plan (SIP) as meeting the requirements of CAIR for PM_{2.5} relating to NO_x under § 51.123 of this chapter, except to the extent the Administrator's approval is partial or conditional or unless such approval is under § 51.123(p) of this chapter.

(2) Notwithstanding any provisions of paragraph (a)(1) of this section, if, at the time of such approval of the State's SIP, the Administrator has already allocated CAIR NO_x allowances to sources in the State for any years, the provisions of part 97 of this chapter authorizing the Administrator to complete the allocation of CAIR NO_x allowances for those years shall continue to apply, unless the Administrator approves a SIP provision that provides for the allocation of the remaining CAIR NO_x allowances for those years.